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RCE

PATENT  
ATTORNEY DOCKET NO.: 040894-5644

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of ) Confirmation No. 1542  
Osamu KASONO et al. ) Group Art Unit: 2653  
Application No.: 09/813,306 ) Examiner: Kim Kwok Chu  
Filed: March 21, 2001 )  
For: OPTICAL HEAD APPARATUS ) Mail Stop RCE

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Mail Stop RCE**  
Alexandria, VA 22314

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

Previously submitted:

Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on March 7, 2005. (Any unentered amendment(s) referred to above will be entered).

Please consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.

Other \_\_\_\_\_.

Enclosed:

Amendment/Reply

Affidavit(s)/Declaration(s)

Information Disclosure Statement with Form 1449

Other \_\_\_\_\_.

05/23/2005 SZEWDIE1 00000168 500310 09813306

01 FC:1801 790.00 DA

05/23/2005 SZEWDIE1 00000168 09813306

02 FC:1251 120.00 DA

2. Miscellaneous

- Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)  
 Other \_\_\_\_\_

3. Fees Calculation

- (a) RCE Fee required under 37 C.F.R. § 1.17(e)  
 \$790.00  
 \$395.00 (for small entity)

(b) Extension of Time

- Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.  
 Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months <u>Requested</u>	Fee for <u>Extension</u>	[Fee for Small Entity]
<input checked="" type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00

Extension of time fee due with this request: **\$120.00**.

(c) Other \_\_\_\_\_.

The total fee for this submission: **\$ 910.00**.

4. Fee Payment

- Check in the amount of \$ \_\_\_\_\_ filing fee is enclosed.  
 The Director is hereby authorized to charge **\$910.00** (\$120.00 for the 1-month extension of time fee and \$790.00 for the RCE filing fee due) to our Deposit Account No. 50-0310.

5. Additional papers enclosed:

- Preliminary Amendment
- Declaration of Biological Deposit
- Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: Mary Jane Boswell  
Mary Jane Boswell  
Reg. No. 33,652

Dated: May 20, 2005

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MJB/SO/fdb